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JUN 12 2008

OFFICE OF PETITIONS

In re Application of :
Wakizaka : LETTER REGARDING PTA
Application No. 10/031,344 :
Filed: May 10, 2002 :
Atty. Dkt. No.: 037267-0142 :
:

This letter is in response to the "COMMUNICATION REGARDING PATENT TERM ADJUSTMENT," filed March 3, 2008. The Office thanks applicants for their good faith and candor in bringing this to our attention.

The Determination of Patent Term Adjustment mailed January 24, 2008 indicated that the above-identified application was entitled to a patent term adjustment ("PTA") of 1019 days. Applicant indicates that this adjustment disagrees with applicant's calculation of the period of adjustment.

The correct Patent Term Adjustment ("PTA") at the time of the allowance is 930 days.

As indicated in the Determination of Patent Term Adjustment mailed January 24, 2008, an overall adjustment of 1019 days can be attributed to the Office.

Further review of the calculation of adjustment reveals that the Office neglected to assess a reduction in connection with the RCE filed November 13, 2007. In accordance with 37 CFR 1.704(b), the adjustment of 1019 days is reduced 89 days. The reduction commenced August 17, 2007, the day after the date that is three months after the date that the final Office action was mailed, and ended November 13, 2007, the date that the RCE was filed.

Accordingly, at the time of allowance, the application is entitled to an adjustment 930 days (adjustment for Office delays totalling 1019 days less reductions for applicants delays totalling 89 days).

As applicants are advising us of a potential error in providing too much patent term adjustment in this application, no fee is due in connection with this matter.

The patent term adjustment indicated in the patent will include any additional patent term accrued pursuant to §§ 1.702(a)(4) and 1.702(b).

This application is being forward to the Office of Patent Publication for issuance of the patent.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Kery A Fries

Kery Fries
Senior Patent Attorney
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

Enclosure: Copy of Adjustment PAIR Calculation

Day : Wednesday

Date: 6/11/2008

Time: 09:35:25

PALM INTRANET**PTA Calculations for Application: 10/031344**

Application Filing Date:	05/10/2002	PTO Delay (PTO):	1019
Issue Date of Patent:		Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	0
Post-Issue Petitions:	0	Total PTA (days):	930
PTO Delay Adjustment:	-89		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
55	06/11/2008	ADJUSTMENT OF PTA CALCULATION BY PTO		89	
48	01/24/2008	MAIL NOTICE OF ALLOWANCE			
47	01/23/2008	ISSUE REVISION COMPLETED			
46	01/23/2008	DOCUMENT VERIFICATION			
45	01/22/2008	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
44	01/22/2008	NOTICE OF ALLOWABILITY			
43	11/17/2007	DATE FORWARDED TO EXAMINER			
42	11/13/2007	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
41	11/17/2007	DATE FORWARDED TO EXAMINER			
40	11/13/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			
39	11/17/2007	DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)			
38	11/13/2007	REQUEST FOR EXTENSION OF TIME - GRANTED			
37	11/13/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
34	10/06/2005	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
33	10/06/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
30	05/16/2007	MAIL FINAL REJECTION (PTOL - 326)			
29	05/14/2007	FINAL REJECTION			
28	03/01/2007	DATE FORWARDED TO EXAMINER			
27	02/12/2007	RESPONSE AFTER NON-FINAL ACTION			
26	11/14/2006	MAIL NON-FINAL REJECTION	95		22
25	11/13/2006	NON-FINAL REJECTION			

24	10/05/2006	CASE DOCKETED TO EXAMINER IN GAU			
23	04/20/2006	DATE FORWARDED TO EXAMINER			
22	04/11/2006	RESPONSE AFTER NON-FINAL ACTION			
21	03/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
20	01/19/2006	MAIL NON-FINAL REJECTION	924		-1
19	01/09/2006	NON-FINAL REJECTION			
18	12/13/2005	CASE DOCKETED TO EXAMINER IN GAU			
17.7	07/22/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
17	07/22/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
16.7	03/04/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
16	03/04/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
15	02/17/2005	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
14	05/10/2002	REFERENCE CAPTURE ON IDS			
12.7	02/12/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
12	02/12/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
10	07/25/2002	CASE DOCKETED TO EXAMINER IN GAU			
9	06/28/2002	APPLICATION DISPATCHED FROM OIPE			
8	06/24/2002	IFW SCAN & PACR AUTO SECURITY REVIEW			
7	06/17/2002	NOTICE OF DO/EO ACCEPTANCE MAILED			
3	05/10/2002	A STATEMENT BY ONE OR MORE INVENTORS SATISFYING THE REQUIREMENT UNDER 35 USC 115, OATH OF THE APPLIC			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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